**HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE**
**AND**
**HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY**

**WRIT PETITION No.16965 OF 2007**

**Between:**

Malapaka Venkata Sitaramaiah

…Petitioner

AND

The Bhimavaram Municipality,
Rep., by its Commissioner,
Bhimavaram, West Godavari District,
and two others

...Respondent

**: O R D E R :**

Counsel for the petitioner : Shri V.V. Prabhakara Rao

**August 9, 2007**

**Per G.S.SINGHVI, CJ**

In this petition, the petitioner has prayed for issue of a direction to respondent No.1 to restrain respondent Nos. 2 and 3 from raising construction in house bearing No. 24-3-12 & 13, Srirampuram, Bhimavaram, West Godavari District.

After arguing the case for sometime, Shri V.V. Prabhakara Rao, learned counsel for the petitioner made a request that his client may be permitted to withdraw the writ petition with liberty to avail remedy by filing civil suit.

The request of the learned counsel is accepted and the writ petition is dismissed as withdrawn with liberty in terms of the prayer made.

As a sequel to dismissal of the writ petition, WPMP No. 21671 of 2007 filed by the petitioner for interim relief is also dismissed.

**G.S. SINGHVI, CJ**

**C.V. NAGARJUNA REDDY, J**

August 9, 2007
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